

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

ERNEST HENDERSON,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:20-cv-00004
)	
STATE OF TENNESSEE <i>et al.</i> ,)	Judge Mattice
)	Magistrate Judge Steger
Defendants.)	

ORDER

On May 6, 2020, United States Magistrate Judge Christopher H. Steger filed a Report and Recommendation [Doc. 9] pursuant to 28 U.S.C. § 636 and the Rules of this Court. The Magistrate Judge found Plaintiff's Complaint [Doc. 2] to be factually frivolous and legally insufficient to state a claim for relief. The Magistrate Judge therefore recommends the Complaint be dismissed and Plaintiff's Application to Proceed In Forma Pauperis [Doc. 1] be denied as moot. Magistrate Judge Steger advised Plaintiff that he had 14 days to object to the Report and Recommendation and that failure to do so would waive any right to appeal. [Doc. 9 at 7 n.1]; *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) ("It does not appear that Congress intended to require district court review of a magistrate judge's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.").

Plaintiff has not filed an objection to the Report and Recommendation. Despite the lack of objection, the Court has reviewed the Report and Recommendation, as well as the record, and agrees with Magistrate Judge Steger's well-reasoned conclusions. The Court specifically finds the Complaint is frivolous. The Court **ACCEPTS** and **ADOPTS**

Magistrate Judge Steger's findings of fact and conclusions of law as set forth in the Report and Recommendation [Doc. 9]. The Complaint [Doc. 2] is **DISMISSED** as frivolous and for failure to state a claim and the Motion to Proceed In Forma Pauperis [Doc. 1] is **DENIED AS MOOT**. The Clerk is directed to close the case.

SO ORDERED this 26th day of May, 2020.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE